



UNRBA PFC Meeting

September 1, 2026

9:30 AM to 12:00 PM

Virtual Meeting

(see agenda for remote
access instructions)



Agenda

- Opening comments, agenda review/revisions
- Status of IAIA Year-End Reports
- Status and timeline for Falls rules readoption and meeting to discuss DWR's most recent draft
- Planning PFC Workshop on Best Practices for Implementing Falls Rules
- Communications
- Other Items
- Closing comments

Opening Comments, Agenda Review/Revisions

Status of IAIA Year-End Reports

Reminder for Year-End Reports

- The fifth year of the IAIA ended June 30, 2026.
- IAIA participants are required to submit annual reports to DWR (John Huisman) by September 30th
- Please copy Forrest and Alix on your submission so we can compile the UNRBA Annual Summary Report which will be reviewed and considered for approval by the UNRBA Compliance Group Committee at their November 18, 2026, meeting.
- The UNRBA Annual Summary Report is due to DWR by November 30th each year
- The spreadsheet-based reporting template is available under the “IAIA” heading on the UNRBA website Resource Library: <https://unrba.org/resource-library>.
- Manually enter rollover from the FY2025 report if applicable – see next slide

IAIA FY2024-2025 Funds Allocated and Cumulative Rollover

Participant	Annual Minimum Requirement	FY2024-2025 Funds Allocated	Cumulative Rollover to Next FY
City of Creedmoor	\$16,926	\$16,926	\$0
City of Durham	\$337,587	\$913,833	\$3,645,595
City of Raleigh	\$466,081	\$506,000	\$2,326,561
Durham County	\$133,300	\$310,896	\$800,485
Franklin County	\$19,058	\$19,058	\$0
Granville County	\$100,453	\$100,453	\$0
Orange County	\$161,943	\$9,993	\$22,124
Person County	\$114,394	\$318,231	\$240,176
Town of Butner	\$23,393	\$23,393	\$0
Town of Hillsborough	\$34,221	\$47,053	\$46,634
Town of Stem	\$11,605	\$11,605	\$0
Town of Wake Forest	\$13,692	\$58,924	\$45,232
Wake County	\$88,968	\$642,726	\$3,004,607
Total	\$1,521,621	\$2,979,092	\$ 10,131,415

Cumulative rollover accounts for all years of IAIA program accounting.

Status and Timeline for Falls Rules Readoption

Status of Development of Draft Rule Language

Rule Section	Status
Purpose and Scope, Existing Managed Lands, New Development	• PFC discussed DWR's February drafts at March PFC meeting • PFC provided comments during and following the meeting • Board discussed concerns at their March meeting • UNRBA and DWR staff discussed rules again on April 1st and the PFC discussed April 7th • DWR provided updated drafts on April 22nd
Agriculture	• PFC discussed DWR's February drafts at the March PFC meeting – minor changes since the Feb draft
Wastewater	• DWR and UNRBA discussing since September 2025 • PFC and Board provided comments during the March and April meetings • DWR provided draft on April 22nd – First Draft since last year

- Stakeholders will review refined drafts and DWR will host an “all stakeholders” meeting before rules are submitted for consideration by the WQC.

Impacts of the Reexamination Effort

- Provides a well-developed, scientific evaluation of the lake and watershed that clearly shows the impossibility of the current rules
- Modeling was accepted by DWR as following established QA/QC procedures for development
- Approval of the modeling by the EMC is highly likely—however, the reductions required under the current standard evaluation process are way beyond what is reasonable or possible
- The work established that there is no basis for considering the lake “impaired” because all uses are being met
- The progress on most of the rules in our discussions with DWR would not be possible without the results of the Reexamination
- The UNRBA has provided extensive additional justification for rules modification and revised WWTP loading requirements

Status of Falls Rules Readoption

- DWR provided updated rule sections on April 22nd
- UNRBA PFC and the Board have reviewed and discussed at their May meetings and the June PFC meeting with DWR staff present
- UNRBA members and Executive Director met with DWR on July 20th to discuss (summarized on following slides)
- Language is close on Purpose and Scope, Existing Managed Lands, and New Development Rules
- Additional work is needed on Wastewater Rule; the EMC and EMC Executive Director are also reviewing

Summary of July 20th Meeting with DWR

- UNRBA member representatives met with DWR to discuss UNRBA comments on the April draft rules
 - City of Durham: Michelle Woolfolk and Sandi Wilber
 - Wake County: Nancy Daly
 - Upper Jurisdictions: Katie Cromwell
 - Durham County: Ryan Eaves
 - Town of Hillsborough: Terry Hackett
 - UNRBA: Forrest Westall, Alix Matos
 - DWR: John Huisman, Rich Gannon, Trish D'Arconte
- Two-hour meeting intended to focus on new development and existing managed lands rule
- The following slides summarize the discussion with additional details provided in the [August PFC slides](#)

Draft Purpose and Scope (PS) Rule, Items Discussed on July 20th

- References to percent reductions that are not feasible or applicable should be removed or clarified as historical reference only
 - *DWR may still be considering, but has not stated agreement yet*
- The word “restore” should not be referenced: Falls Lake water quality is the best it has ever been
 - *At the August PFC meeting, John Huisman indicated they will replace with “maintain and improve”*
- Suggested using “manage” rather than “reduce” nutrients to be more comprehensive in our approach
 - *DWR may still be considering, but has not stated agreement yet*

Draft Purpose and Scope (PS) Rule, Items Not Discussed on July 20th due to Time Constraints but discussed at August PFC meeting

- Nutrient Criteria Development Plan (NCDP) to establish site-specific standard for Falls Lake (last updated 2019)
 - DWR has not met the schedule described in the plan
 - Evaluate nutrient and chlorophyll-a data for NC lakes and reservoirs (by January 2024)
 - Evaluate the High Rock Lake approach for lakes and reservoirs across the state (by December 2024)
 - Develop criteria (by December 2026 with rules adopted May 2028)
 - UNRBA has concerns with schedule proposed in the draft Purpose and Scope Rule given ongoing delays with other NCDP efforts
 - A site-specific process for development of a Falls Lake standard is needed which must include specific input from the UNRBA along with a commitment from DWR to staff and support such an effort
- *DWR may still be considering, but has not stated agreement yet*

Draft Purpose and Scope (PS) Rule, Items Not Discussed on July 20th due to Time Constraints but discussed at August PFC meeting

- Importance of tributary monitoring
 - *According to John Huisman, this is being discussed by DEQ*
- Implementation of the “offramp” as currently drafted
 - *DWR may still be considering, but has not stated agreement yet*

Draft New Development (ND) Rule, Items Discussed on July 20th

- Purpose statement should reference the purpose statement of the Purpose and Scope Rule
 - *John Huisman indicated they will edit this and other rules as suggested; not have separate purpose statements in each rule*
- UNRBA recommended deleting the last sentence of the ND Purpose: “Nothing in this Rule prevents local governments from implementing requirements that are more restrictive than those set forth in this Rule”
 - *DWR may still be considering, but has not stated agreement yet*
- Next version of the Stormwater Nitrogen and Phosphorus (SNAP) Tool is likely delayed 18+ months
 - Impacts structure of the rule and the loading targets
 - Suggested considering a separate SNAP rule rather than re-adopting again
 - *John Huisman indicated this option is being discussed*
- Rule language about large institutional projects is not needed because they are regulated by the local governments
 - *DWR agreed during the meeting and will delete*

Draft Existing Managed Lands (EML) Rule, Items Discussed on July 20th

- Discussed that requirements and purpose of EML rule needed to be relative to existing **development**, not existing **managed lands** (EML)
 - EML are to indicate potential partnerships, not requirements—important concept to encourage joint projects
 - *DWR is reviewing wording throughout (managed lands versus development)*
- Education and outreach costs related to nutrient management should be eligible activities and are required elements of MS4 permits due to their importance
 - *John Huisman indicated they will add this back in at the August PFC meeting*
- If members leave compliance group, group investment level should be adjusted down (subtract member)
 - *John Huisman indicated they will make this revision*
- If DWR dissolves the group for non-compliance, retroactive requirements should only be required for those jurisdictions that were out of compliance
 - *DWR may still be considering, but has not stated agreement yet*
- Item (8, eligible activities for investment-based approach) still references lands “under their control”; should say “under their ownership”
 - *DWR may still be considering, but has not stated agreement yet*

Draft Wastewater Rule (WW) Rule, Items Discussed on July 20th

- Three WWTPs are operating at best achievable technology (BAT)
- DWR's latest draft caps the WWTPs at their currently permitted flow rates (28.5 MGD cumulative) based on nitrogen (N)
 - End of pipe: 163,704 pounds per year (baseline, 2006 levels)
 - Offsets: capped at 100,000 pounds per year
 - *John Huisman indicated they are reviewing this draft rule language*
 - Limits total allocation to permitted flow at BAT, 3 mg-N/L
 - No path for increased allocation
- DWR's latest draft sets phosphorus allocation to
 - End of pipe: 14,469 pounds per year (Stage I allocation)
- No other WW Rule in the state limits the number of offsets you can acquire
- Other WW rules allow for new and expanded facilities based on offsets obtained with no limit
- Other WW rules allow 3.5 mg-N/L and permitted flow to be discharged from pipe – Falls 1.88 mg-N/L end of pipe

Overview of Financial Impacts of Revised Rules

- Fiscal comparisons are required relative to the current rule framework, which includes the Stage II requirements
- The work of the UNRBA and discussions with DWR have resulted in draft rules that are less costly than the Stage I and Stage II requirements
- More work is needed, particularly for the Wastewater Rule to ensure fair, equitable requirements that consider limits of technology and relative proportion of loading to Falls Lake
- This material was summarized for the Board at their [June meeting](#)

Planning PFC Workshop on Best Practices for Implementing Falls Rules

Planning PFC Workshop on Best Practices for Implementing Falls Rules

- Granville County and Wake County have requested a comparison and best practices across local governments for their implementation of stormwater rules and regulatory requirements within the Falls Lake Watershed
- The New Development Workgroup is meeting later today to discuss the best approach to provide information on the topics compiled thus far
 - Establishing the scope of the workshop
 - Develop an agenda and a list of speakers
 - Schedule second workgroup meeting to review draft materials – schedule 3rd meeting as needed
- Workshop materials likely to be presented at a future PFC meeting(s)

Communications

Additional Information and Activities

- Reviewing existing information for jurisdictional use in developing presentations and handouts
 - [Infographic](#)
 - [Fact Facts](#)
 - Presentation materials as requested
- Continue meeting with DWR to work toward a joint set of rules to submit to the WQC
- Next EMC WQC: September 9, 2026 (Falls not on the agenda)
- Working through DWR to be engaged on their discussions with staff from the NC Office of State Budget Management
- Planning additional meeting(s) with EPA, linking in DWR as appropriate

Other Items

Ongoing Discussions/Issues

- DWR is requesting feedback by September 15th on the Lower Neuse Modeling Report and how to use the model for updating delivery factors (based on DWR's July 14th workshop)
- NCSU streambank erosion loading website and spatial data available soon
- Upcoming presentation at the September Board meeting by NC State University on the UNRBA and Jordan Lake One Water research study
- Impacts on implementation of nutrient requirements in light of PFAS/PFOS and other emerging requirements on wastewater management costs to local governments

Closing Comments

**Next Board Meeting Scheduled for
September 16, 2026; 9:30 AM to 12:00 PM**

**Next PFC Meeting Scheduled for
October 6, 2026; 9:30 AM to 12:00 PM**